

RICHLAND COUNTY WATER RESOURCE DISTRICT
Richland County Courthouse, Wahpeton, ND
November 1, 2022

The Richland County Water Resource District ("RCWRD") met November 1, 2022, at 8:00 A.M. at the Richland County Courthouse.

THOSE PRESENT: Managers Arv Burvee, Gary Friskop, Clint Arndt, Tom Kubela, Don Moffet, Engineering Technician Justin Johnson, Secretary-Treasurer Tiffany Bladow.

THOSE ABSENT:

Approval of Agenda

A motion was made by Mgr. Arndt and seconded by Mgr. Moffet and unanimously carried to approve the agenda as presented.

Minutes

The October 18, 2022, minutes were presented. A motion was made by Mgr. Kubela and seconded by Mgr. Moffet to approve the October 18, 2022; minutes as presented. Upon roll call vote, the motion carried unanimously.

Mail

- 1) Annual Joint North Dakota Water Convention Meeting in Bismarck December 6-9

Applications

Application to Install a Subsurface Water Management System #22-097 for David Hager in the SW1/4 Section 31, Antelope Township

The Board reviewed *Application to Install a Subsurface Water Management System #22-097*. Under the application, David Hager seeks to install a 150-acre drain tile system in the SW1/4 Section 31, Antelope Township. The project will include a single pump outlet located on the south boundary of the Southwest Quarter. The Board reviewed the application, design plan, water flow map, and all accompanying data submitted as part of the application.

Mgr. Arndt moved, and Mgr. Kubela seconded the motion, to approve Appl #22-097 and to authorize the Secretary-Treasurer to sign SUBSURFACE WATER MANAGEMENT PERMIT #22-097, subject to the following conditions:

- that Applicant install and maintain proper erosion protection at all outlets;
- that Applicant re-establish all disturbed areas to previous conditions, including re-seeding;
- that Applicant will not install Applicant's tile system within 20 feet, on either side of any rural water lines under any blanket easements, or otherwise beyond any existing easements the Rural Water District has for Applicant's property being tiled;
- that Applicant must turn off any pump outlets and control structures during "critical flood periods," as determined by the Richland County Water Resource District;
- that Applicant must apply for an amendment to this SUBSURFACE WATER MANAGEMENT PERMIT in advance of any proposed alterations to outlet locations, the addition of any outlets, or improvements or modifications to the tile system that could increase the capacity or drainage area of the tile system;

that Applicant remove silt or vegetation, or repair erosion or scour damages **directly** caused by Applicant's tile system, but only up to one mile downstream from a project outlet, unless the distance to the nearest assessment drain, natural watercourse, slough, or lake is less than one mile downstream of the proposed outlet, in which case the Applicant remove silt or vegetation, or repair erosion or scour damage only between the outlet and the discharge into the nearest assessment drain, natural watercourse, slough, or lake.

With regard to this condition, Applicant's obligations to remove silt or vegetation, or repair erosion or scour damages, will only arise upon submission of substantial evidence to the Board by a downstream landowner or road authority that Applicant's tile system **directly** caused accumulation of silt or vegetation, erosion, or scouring.

Upon roll call vote, the motion carried unanimously.

Under Section 61-32-03.1, the District cannot attach any additional conditions to Applicant's permit. However, for Applicant's protection, and to ensure protection of Applicant's tile system, the District recommends Applicant consider complying with the following :

that Applicant obtain easements from the owners of any property not owned by the Applicant but on which the Applicant will install, construct, and maintain Applicant's tile system;

that Applicant obtain a pipeline easement from the owners of property not owned by the Applicant but on which the Applicant will install, construct, and maintain a buried pipeline;

that Applicant obtain written permission from all applicable road authorities to discharge into, or otherwise utilize, any township, county, or state road ditches; to install, operate, and maintain buried pipe in any township, county, or state road ditches; or to bore or cut through any township, county, or state roads and road ditches; and

that Applicant obtain all other necessary and requisite licenses, permits, registrations, and/or approvals from all applicable federal, state, county, and municipal governments, and any other applicable governmental entities.

Application to Install a Subsurface Water Management System #22-098 for Paul Tiegs in the SW1/4 Section 18 and NW1/4 Section 19, Lamar's Township

The Board reviewed *Application to Install a Subsurface Water Management System #22-097*. Under the application, David Hager seeks to install a 150-acre drain tile system in the SW1/4 Section 18 and NW1/4 Section 19, Lamar's Township. The project will include a gravity outlet located on the north boundary of the Northwest Quarter Section 18. The Board reviewed the application, design plan, water flow map, and all accompanying data submitted as part of the application.

Mgr. Friskop moved, and Mgr. Arndt seconded the motion, to approve Appl #22-098 and to authorize the Secretary-Treasurer to sign SUBSURFACE WATER MANAGEMENT PERMIT #22-098, subject to the following conditions:

that Applicant install and maintain proper erosion protection at all outlets;

that Applicant re-establish all disturbed areas to previous conditions, including re-seeding;

that Applicant will not install Applicant's tile system within 20 feet, on either side of any rural water lines under any blanket easements, or otherwise beyond any existing easements the Rural Water District has for Applicant's property being tiled;

that Applicant must turn off any pump outlets and control structures during "critical flood periods," as determined by the Richland County Water Resource District;

that Applicant must apply for an amendment to this SUBSURFACE WATER MANAGEMENT PERMIT in advance of any proposed alterations to outlet locations, the addition of any outlets, or improvements or modifications to the tile system that could increase the capacity or drainage area of the tile system;

that Applicant remove silt or vegetation, or repair erosion or scour damages **directly** caused by Applicant's tile system, but only up to one mile downstream from a project outlet, unless the distance to the nearest assessment drain, natural watercourse, slough, or lake is less than one mile downstream of the proposed outlet, in which case the Applicant remove silt or vegetation, or repair erosion or scour damage only between the outlet and the discharge into the nearest assessment drain, natural watercourse, slough, or lake.

With regard to this condition, Applicant's obligations to remove silt or vegetation, or repair erosion or scour damages, will only arise upon submission of substantial evidence to the Board by a downstream landowner or road authority that Applicant's tile system **directly** caused accumulation of silt or vegetation, erosion, or scouring.

Upon roll call vote, the motion carried unanimously.

Under Section 61-32-03.1, the District cannot attach any additional conditions to Applicant's permit. However, for Applicant's protection, and to ensure protection of Applicant's tile system, the District recommends Applicant consider complying with the following :

that Applicant obtain easements from the owners of any property not owned by the Applicant but on which the Applicant will install, construct, and maintain Applicant's tile system;

that Applicant obtain a pipeline easement from the owners of property not owned by the Applicant but on which the Applicant will install, construct, and maintain a buried pipeline;

that Applicant obtain written permission from all applicable road authorities to discharge into, or otherwise utilize, any township, county, or state road ditches; to install, operate, and maintain buried pipe in any township, county, or state road ditches; or to bore or cut through any township, county, or state roads and road ditches; and

that Applicant obtain all other necessary and requisite licenses, permits, registrations, and/or approvals from all applicable federal, state, county, and municipal governments, and any other applicable governmental entities.

Drain Tile Notification Appl #21-101 was reviewed at this time. No action was required by the RCWRD as the project involves less than 80 acres of drain tile. No disclosure of information is allowed per NDCC § 61-32-03.1.

Appl #22-096 Dr. #65 Site #612 NE/4 Sec. 35 Brandenburg Twp

1-42"x44' CMP has a bad flap gate and is rusted out. A motion was made by Mgr. Arndt and seconded by Mgr. Kubela to approve Appl #22-096 and install new flap gate. Upon roll call vote, the motion carried unanimously.

Appl #22-099 Dr. #95 Site # SW1/4 Sec, 3 Danton Twp.

24" Flap gate is damaged. A motion was made by Mgr. Kubela and seconded by Mgr. Friskop to approve Appl #22-099 and install new flap gate. Upon roll call vote, the motion carried unanimously.

Appl #22-100 Dr. #95 Site # SW1/4 Sec, 31 Antelope Twp.

18" Flap gate and end of pipe is damaged. A motion was made by Mgr. Arndt and seconded by Mgr. Friskop to approve Appl #22-100 and install new flap gate and end of pipe. Upon roll call vote, the motion carried unanimously.

2022 Drain Maintenance and Excess Levies

The Managers reviewed the financial status of all drain maintenance accounts. Discussion was held relative to fund balances, work pending, and work anticipated. A motion was made by Mgr. Moffet and seconded by Mgr. Kubela to approve the 2022 drain maintenance levies for the purpose of paying for work done in 2022, anticipated expenses in 2023 and beyond, sinking funds for Drain #7 and the excess levy for Bond #2.

<u>Drain #</u>	<u>Levy Amount</u>	<u>Drain #</u>	<u>Levy Amount</u>
Dr. #1	\$4.00 Weighted	Dr. #2	\$3.00 Weighted
Dr. #3	\$4.00 Weighted	Dr. #4	\$4.00 Weighted
Dr. #5	\$4.00 Weighted	Dr. #6	\$2.00 Weighted
Dr. #7	\$4.00 Weighted	Dr. #10	\$4.00 Weighted
Dr. #12	\$3.00 Weighted	Dr. #14	\$4.00 Weighted
Dr. #15	\$1.00 Weighted	Dr. #17	\$4.00 Weighted
Dr. #18	\$4.00 Weighted	Dr. #19	\$2.00 Weighted
Dr. #26	\$4.00 Weighted	Dr. #31	\$4.00 Weighted
Dr. #34	\$3.00 Weighted	Dr. #35	\$2.00 Weighted
Dr. #39	\$3.00 Weighted	Dr. #41	\$4.00 Weighted
Dr. #48	\$4.00 Weighted	Dr. #55	\$4.00 Weighted
Dr. #58	\$3.00 Weighted	Dr. #62	\$3.00 Weighted
Dr. #63	\$4.00 Weighted	Dr. #65	\$4.00 Weighted
Dr. #66	\$4.00 Weighted	Dr. #67	\$1.00 Weighted
Dr. #72	\$4.00 Weighted	Dr. #95	\$1.00 Across the board
Dr. #97	\$1.00 Across the Board	RS #1	\$4.00 Weighted
CR #1	\$0.25 Weighted		

Upon roll call vote, the motion carried unanimously.

A motion was made by Mgr. Arndt and seconded by Mgr. Moffet to survey SE1/2 Sec. 25 Mooreton Twp to reestablish the boarder right away. Will send to Houston Engineering, Inc. to do the survey.

Gabe Bladow from Houston Engineering Joined the meeting, and gave the Board updates on the following:

Olson Ring Dike

No update, The Olson's have been nonresponsive.

Brosowske Complaint

Mike Opat is managing the complaint, the survey and field review are complete, will be starting on the analysis this week.

Drain #31

Gladen was trying to time the weather so that when reseeding it goes in dormant.

Drain #14

Gabe Bladow from Houston Engineering gave an update to the Board on possible options to improve Drain 14 West of Hwy 18 in Sheyenne Township. After reviewing multiple options, the Board decided to have the office staff organize a landowner meeting during the winter to present the options to the applicants.

Drain #66A

Gabe Bladow from Houston Engineering gave an update to the Board on possible options to improve Drain 66A. After reviewing multiple options, the Board decided to have the office organize a landowner meeting during the winter to present the options to the applicants.

Gabe Bladow left the meeting

Adjournment

There being no further business to come before the Board, Chr. Burvee adjourned the meeting at 10:35 A.M.

Respectfully submitted,

Tiffany Bladow
Tiffany Bladow
Secretary/Treasurer

Arv Burvee
Arv Burvee
Chairman of the Board